

No. 00-2637

[UNPUBLISHED]

Before RICHARD S. ARNOLD, HANSEN, and BYE, Circuit Judges.

PER CURIAM.

Barry Lyndell Wallace appeals from the district court's¹ judgment, following an evidentiary hearing before a magistrate judge, dismissing with prejudice his 42 U.S.C. § 1983 action. Wallace did not request a jury trial, and he filed no objections to the magistrate judge's post-hearing report, which the district court reviewed and adopted in its entirety. We conclude that the district court did not err in holding that the conditions of Wallace's confinement failed to rise to the level of a constitutional violation. See Smith v. Copeland, 87 F.3d 265, 268 (8th Cir. 1996) (analysis of confinement conditions must be based on totality of circumstances). We therefore affirm for the reasons stated by the district court. See 8th Cir. R. 47B.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.

¹The Honorable Henry Woods, United States District Judge for the Eastern District of Arkansas, adopting the report and recommendations of the Honorable Jerry W. Cavaneau, United States Magistrate Judge for the Eastern District of Arkansas.